

**Winthrop Town Council  
Regular Meeting  
Monday, February 7, 2011  
Winthrop Town Office**

**Attendance:** Kevin Cookson, Chair: David Rheaume, Linda Caprara (arrived 7:10 p.m.), Priscilla Jenkins, Ken Buck, Sarah Fuller, Joseph Young (Interim Town Manager), Lee Bragg and Julie Winberg (Secretary). Absent: James Lattin

Approve the Minutes of January 3<sup>rd</sup> and January 26<sup>th</sup>, 2011

Motion by Fuller and seconded by Jenkins, both sets of minutes were approved with a unanimous vote of 5-0.

**Item # 16 Council Appointments**

Chairman of the Appointments Committee, Councilor Rheaume, recommended the following included as a Motion, which was seconded by Councilor Buck with a unanimous vote of 5-1 Abstention (Caprara):

Planning Board – 5 year term  
Benjamin Parks Stamm  
Edward Vignault

Zoning Board of Appeals – 3 year term  
Regular Members: Roger Hanson  
Anthony Wess

Associate Members – 1<sup>st</sup> Associate  
Greg Chamberland  
2<sup>nd</sup> Associate  
Daryn Deveau

Board of Assessment Review – 3 year term  
Regular Members  
Kenneth Johnson  
Judith Stebbins  
Associate Member  
Linda J. Huff

*Recreation Committee – 3 year Term*

*Regular Members*

*Jennifer Currier*

*Donald Beattie*

*Michael Tibbets*

*Associate Member*

*Mark W. Gordon*

*Board of Registration Appeals - 3 year terms*

*Democrat Jane Bryson*

*Republican Carol Caprara*

***Item #17 Hold a public hearing on the liquor license renewal and special entertainment license renewal for Sully's Restaurant.***

*Public hearing opened at 7:08 p.m. and closed at 7:09 p.m.*

***Item #18 Consider the liquor license renewal and special entertainment license for Sully's Restaurant.***

*Motion by Rheaume and seconded by Fuller, with a unanimous vote, approved the renewal liquor and entertainment license for Sully's Restaurant.*

***Item # 19 Consider a request from Sam Richards to sand the Baptist Church parking lot if needed during the twice weekly luncheons in East Winthrop.***

*Mr. Richards was not in attendance. Councilor Jenkins explained that this was for a food bank that was held at the church two mornings a week.*

*Councilor Buck noted that by doing this for 'one', the town would be obligated to do it for others.*

*Councilor Fuller agreed noting that 'it is a dangerous precedent to set'. This is a private lot and the town cannot be responsible for it.*

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*Motion by Buck and seconded by Fuller, with a unanimous vote, denied the request from Sam Richards to sand the Baptist Church parking in East Winthrop.*

**Item #20 Consider a request to do winter maintenance on the East Winthrop Beach Road.**

*Mr. Travis Peaslee, of East Winthrop Beach Lane, was in attendance to present his request to sand and plow his road. He also asked for clarification of the town's policy not to maintain this road for the winter. The lane accesses a Cobbossee Lake beach which is open to Winthrop residents and therefore provides summer maintenance to the road.*

*Town Attorney Lee Bragg explained that the former town manager, Cornell Knight, had researched the town records to determine when the road came into being. The town owns an easement down to the beach. He was unable to find any evidence that this road was laid out as a town 'way', and not an easement. Thus, as of this date, there is no obligation for the town to do any maintenance at all, nor does it obligate the town to keep it open all year round. If the Council, at that time, defined this road as a town 'way', there would be an obligation to keep it open. Mr. Bragg said that "the bottom line is, unless there is some evidence in the town records that it was laid out as a town 'way', there is no obligation to plow or do any type of maintenance".*

*This is a 20' wide easement running down to the beach. The town owns the beach property.*

*Councilor Fuller noted that the town has that easement to promote recreation and it would be a good idea to continue that promotion in the winter. However, there may be logistical problems and gave as an example the road may be too narrow for the town's snow plows. She concluded that it does bear looking into.*

*Motion by Jenkins and seconded by Fuller to table this item until more information is retrieved allowing Mr. Peasley and the town time to research the road's history. Vote was 5-1 (Rheume opposed).*

**Item #21 Consider a request to replace the bridge on Dexter Pond Road.**

*Stephanie Silva, of Dexter Pond Road, told councilors that an oil company refused to send a delivery truck across the bridge, and that the school bus will not cross it to pick up her daughter. The residents do not get police protection either. Even a larger fire truck cannot use it. "What service is the town providing to these residents?" she asked.*

*This is a ten foot wide bridge that accesses 30 homes near Berry and Dexter Ponds. The residents are seeking town help to replace and widen this bridge. It also provides access to trails at Mount Pisgah which is a popular recreational spot.*

*Mr. Bob Pelletier was present and explained that he built this bridge in the 1980's. He blamed the beavers for damaging the underpinnings.*

*Town attorney said the town has no public easement over the bridge and that if it did, it could provide aid.*

*Councilor Cookson commented that he fully understood the frustration as tax payers feel they are paying their share for these services. Dexter Pond Road is like several other camp roads now with full time homes. Towns are not in the business of taking care of private roads. In order for the town to take that responsibility, it would have to accept the road as a town road.*

*Motion by Buck and seconded by Fuller, with a unanimous vote, to table the **request to replace the** bridge on Dexter Pond Road. **They requested** the interim Town Manager to gather more information for their next meeting.*

*Councilor Jenkins said addressing the condition of former camp roads was among the goals of the town's newly adopted Comprehensive Plan. She suggested creating a process to review these.*

**Item #22 Consider the installation of a streetlight at the corner of Cross Road and Old Lewiston Road.**

*The interim Town Manager gave a brief history of the inception of this request. He explained how dangerous the lack of lighting was and assured the residents and Council that he will get this light installed with the extra-long arm that it needs.*

*Councilor Buck commented that this was a very good idea.*

*Motion by Fuller and seconded by Jenkins, with a unanimous vote, to approve the installation of a streetlight at the corner of Cross Road and Old Lewiston Road.*

*Item #23 Consider a request from the Farmers Market to relocate to the Town Office Parking Lot.*

*The Interim Town Manager explained that he received this request to move the Farmer's Market (Saturday only) to the parking lot in front of the town office. This request was based on safety issues. The Tuesday Market will remain in its same location. Motion by Caprara and seconded by Buck, with a unanimous vote, to approve the request from the Farmers Market to relocate to the Town Office Parking Lot – Saturday only.*

*Councilor Rheaume noted that their standard insurance liability policy should be in place.*

**Item #24 Consider new billing rates for the Ambulance Service.**

*Chairman Cookson, speaking for John Dubinsky (not present at this meeting), explained that the reason for the new billing rates was to incorporate the new Medicaid reimbursement rates that were changed on 1/1/11. The increases to their present rates reflect those changes and allow the Ambulance Service to bill at those rates.*

*Motion by Jenkins and seconded by Fuller to accept the new billing rates for the Ambulance Service. The motion died as the vote was 3-3 (Buck, Caprara, Rheaume opposed).*

**Item #25 Hear an update on the school's financial software conversion.**

*John Mitchell was present and updated the Council/residents about this software conversion. He explained that the process converting was going very well. Winthrop will be fully on board in two weeks reiterating that there was no cost to the town. This new program will interface with the state with a much quicker response time providing both the state and the town the information needed.*

*He also noted that what the new system provides is the ability for the town and the school to work together.*

*The Department of Education looked very favorably on the new system and saved the town of Winthrop approximately \$180,000.*

*He reiterated that both the town and the school board need to have joint meetings. That both the town and the school board would benefit.*

*Councilor Rheaume inquired as to the inducements paid to school employees that were retiring. Mr. Mitchell explained that the school did that to save money by encouraging people to retire by paying their medical insurance to the age of 65. He went on to say that the school did not refill the positions and that this was a one-time thing.*

**Item #26 Consider the adoption of a Flow Control Ordinance for municipal solid waste.**

*This proposed flow control ordinance aims to send solid waste to the town transfer station or to the Penobscot Energy Recovery Company facility in Orrington.*

*Under the present agreement, the town's annual tonnage is 3100 tons. However, the town keeps falling short of that amount. To date, a penalty has not been assessed.*

*The Ordinance would require haulers to take their haul to our landfill. This would be a voluntary compliance.*

*Motion by Jenkins and seconded by Fuller to table this until more information can be obtained as to the actual tonnage being received at the present time and the items that are allowed. This passed with a unanimous vote.*

**Manager's Report**

*The Interim Town Manager informed the Council/residents that everything was going quite well and appreciated all the help he was getting from the town employees.*

*He informed the Council that he appointed Ryan Frost as the Interim Police Chief and that he passed along a \$100.00 a week stipend to him for the added responsibility, same as the Council approved for his position of Interim Town Manager.*

*He also noted that the Highway Department was doing an excellent job cleaning the streets and has not received any complaints. However, there has been a drain on the resources and equipment due to the increase in storms. The supply of sand is also dwindling.*

*The Police Department is re-advertising for a public safety dispatcher and he will advertising for a Finance Director – by mid-March.*

**Other Business**

*Councilor Buck asked that there be more of an effort to push back the very high snow banks.*

*Councilor Jenkins asked that Chairman Cookson pursue the next joint school board meeting as it is extremely beneficial.*

**Adjourn**

*Motion by Caprara and seconded by Buck, the meeting adjourned at 8:30 p.m.*